

ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
MICHAEL J. CARROLL (ST. BAR #50246)
220 Montgomery Street, Suite 303
San Francisco, CA 94104
Telephone: (415) 392-5431
Facsimile: (415) 392-1978

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**BOARD OF TRUSTEES OF THE NORTHERN) NO. C 07 3207 JL
CALIFORNIA FLOOR COVERING, et al.)**

NO. C 07 3207 JL

Plaintiffs,)
vs.)
BEVIL'S FLOOR SERVICE, INC., a California)
corporation)
Defendants.)

**DECLARATION OF MICHAEL
J. CARROLL IN SUPPORT OF
MOTION FOR ENTRY OF
DEFAULT**

I, MICHAEL J. CARROLL, declare:

1. I am duly admitted to practice law before all of the courts of the State of California and in the United States District Court, Northern District of California. I am one of the attorneys for plaintiff in this action. I have personal knowledge of the facts stated herein and if called as a witness, I could competently testify as follows:

2. The complaint and summons in this action were substitute served on defendant, BEVIL'S FLOOR SERVICE, INC., a California corporation, on July 9, 2007 as appears from the proofs of service of said summons e-filed with the Court.

3. The time within which the defendants may answer or otherwise move as to the complaint has expired, that defendants have not answered or otherwise moved and that the time for defendants to answer or otherwise move has not been extended.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2007 at San Francisco, California.

/s/ Michael J. Carroll
MICHAEL J. CARROLL

1 **PROOF OF SERVICE BY MAIL**

2 I am a citizen of the United States and employed in the City and County of San Francisco,
3 California. I am over the age of eighteen years and not a party to the within above entitled action; my
4 business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On December
5 5, 2007 I served the within **MOTION FOR ENTRY OF DEFAULT, DECLARATION OF**
6 **MICHAEL J. CARROLL IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT** and
7 **PROPOSED NOTICE OF ENTRY OF DEFAULT** on the defendant in said action, by placing a true
8 copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post
9 office mail box at San Francisco, California, addressed as follows:

10 Bevil's Floor Service
11 533 Burke Street
12 San Jose, CA 95112

13 I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true
14 and correct.

15 Executed on December 5, 2007 at San Francisco, California.

16 /s/ Sharon Eastman

17
18
19
20
21
22
23
24
25
26
27
28